



NEWS

Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS
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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF JULY 22, 2002

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#02-123 People v. Oates, S106796. (E029354; 97 Cal.App.4th 1172.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Can more than one enhancement be imposed under Penal Code section 12022.53, subdivision (d), for firearm use in the course of committing crimes against separate victims where only one victim suffers great bodily injury?

#02-124 Huskingson & Brown v. Wolf, S107616. (B147298; 98 Cal.App.4th 113.) Petition for review after the Court of Appeal reversed the judgment in a civil action. The court ordered briefing deferred pending decision in Chambers v. Kay, S098007 (#01-76), which includes the following issue: Does rule 2-200 of the Rules of Professional Conduct of the State Bar, prohibiting the splitting of fees for legal services without the client's written consent, apply to an agreement between attorneys who actually work on the case, or does the rule apply only when a fee is paid to a referring attorney?

#02-125 In re Kunkler, S108264. (B159884.) Appeal pending in the Court of Appeal transferred to the Supreme Court on the court's own motion under California Rules of Court, rules 20(a) and 27.5(a). The court ordered briefing deferred pending

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decision in In re Smith, S105520 (#02-67), and In re Rosenkrantz, S104701 (#02-68), which include the following issues: (1) When the Governor, pursuant to Penal Code section 3041.2, determines that a prisoner should not be released on parole, reversing a contrary decision of the Board of Prison Terms, is the Governor's decision subject to judicial review? (2) If so, what is the standard of review for such a decision?

DISPOSITION

#02-47 Campise v. Valley Children's Hospital, S104260, dismissed and remanded to the Court of Appeal after receipt of a stipulation of the parties requesting dismissal.